

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

EKKLESIA USA, SP 2012-HM-058 Appl. under Sect(s). 6-302 and 6-303 of the Zoning Ordinance to permit an existing church to add a child care center. Located at 11979 N. Shore Dr., Reston, 20190, on approx. 3.6 ac. of land zoned PRC. Hunter Mill District. Tax Map 17-2 ((15)) 36. Ms. Gibb moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on November 28, 2012; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the property.
2. The Board has a favorable staff report recommending approval for an existing church to add a childcare center.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Ekklesia, USA, and is not transferable without further action of this Board, and is for the location indicated on the application, 11979 N. Shore Drive, consisting of 3.61 acres, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by Schools and Townsend, P.C., dated March 10, 2012, as revised through August 9, 2012 by Richard D. Townsend, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

4. This special permit amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The maximum number of seats in the sanctuary shall be 747 seats.
6. Upon issuance of a new Non-Residential Use Permit, the total maximum daily enrollment for the child care center shall be 99.
7. The hours of operation for the child care center shall not exceed 6:30 a.m. to 6:30 p.m., Monday through Friday.
8. Lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. The lights shall be turned off when the site is not in use, except as reasonably necessary for security purposes, including cleaning services.
9. Transitional screening and barrier requirements may be modified along all lot lines in favor of existing vegetation. Existing vegetation shall be maintained in good condition and dead, damaged and/or dying materials shall be replaced as necessary to provide screening.
10. Notwithstanding the existing landscape screening, to the extent space is available and not prohibited by the terms of the existing gas pipeline easement or other easements existing on the property, additional plantings shall be provided adjacent to residential properties to provide the full 25 feet of transitional screenings, or in the alternative, an appropriate barrier shall be provided within six months of approval of the special permit. Plantings shall be provided in the open area along Wedge Drive to discourage the use of Wedge Drive for parking and for the safety of children.
11. If provided, playground equipment shall be installed within the area designated as a proposed playground on the special permit plat.
12. The playground area may be fenced with no higher than a 6' fence.
13. The applicant shall provide a copy of the playground fence design to neighbors adjacent to the proposed playground for their review prior to installation.
14. All signs shall be in conformance with Article 12 of the Zoning Ordinance.
15. The use of loudspeakers shall not be permitted outside the building.

16. Four parking spaces located adjacent to the building containing the child care center shall be reserved for the pick-up and drop off of children only, during the hours of operation of the child care center.
17. Based on the size of the playground area, a maximum of 19 children shall be permitted on the playground at any one time.

This approval, contingent on the above-noted conditions, shall not relieve the applicant for compliance with the provisions of any applicable ordinance, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Mr. Hammack seconded the motion, which carried by a vote of 5-0. Mr. Smith and Mr. Beard were absent from the meeting.

A Copy Teste:

  
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Suzanne Frazier, Deputy Clerk  
Board of Zoning Appeals